

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fitz et al.

Application No.: 10/752,438

Group No.: 3738

Filed: January 5, 2004

Examiner: Stewart

For: Patient Selectable Joint Knee Arthroplasty Devices

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)

(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
 - i. Prior to abandonment of the application

ENCLOSURES

3. Enclosed herewith is:

An amendment

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of small entity (and status is still as small entity).

Continued Prosecution Request Fee: 405.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	45	—	45	= 0 x \$	26.00	= \$	0.00
INDEP.	5	—	5	= 0 x \$	110.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	195.00	= \$	0.00
				TOTAL ADDIT. FEE		\$	0.00

No additional fee for claims is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for three months:

Fee: \$555.00

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$405.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$555.00
Total Fee(s) Due:	\$960.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Charge Account 19-4972 the sum of \$960.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 19-4972.

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: December 18, 2008

/Alexander J. Smolenski, Jr., #47,953/

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